

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on May 06, 2008 at 7:02 p. m. after the 6:30 p.m. caucus session, where the Council designated Prairie Avenue from 18th Street to 19th Street as Honorary Charlie White Way; pending agenda items; updating municipal code; proposing Operations Steering Committee; relocating of Recycle Roll-offs at City Hall; and attending of Director Wortman’s FutureGen Washington D.C. press conference.

Mayor Cline presiding.

Mayor Cline led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Randy Ervin, YEA Commissioner Rick Hall, YEA Commissioner Joseph McKenzie, YEA Commissioner David Schilling, YEA Mayor David Cline.

Also physically present were City personnel: City Administrator Alan Gilmore, City Attorney & Treasurer J. Preston Owen, Public Works Director David Wortman, Community Development Coordinator Kyle Gill, Water Treatment Plant Superintendent Jim Lang, Assistant Fire Chief Andy Adair, Deputy Police Chief Jeff Branson, and City Clerk Susan J. O’Brien.

Commissioner Schilling seconded by Commissioner Hall moved to approve the consent agenda consisting of: minutes of the regular meeting April 15, 2008 and special meeting May 2, 2008; police department report from March, 2008 and fire department report from April 2008; payroll and bills for the second half of April, 2008 and HOME Rehab Grant Expenditures.

Bills and payroll for the last half of April, 2008

General Fund

Payroll		\$	534,442.66
Bills		\$	<u>249,794.75</u>
	Total	\$	784,237.41

Hotel Tax Fund

Payroll		\$	3,445.90
Bills		\$	<u>447.59</u>
	Total	\$	3,893.49

Festival Management

Bills		\$	<u>156.96</u>
	Total	\$	156.96

Insurance & Tort Judgment

Bills		\$	<u>46,443.00</u>
	Total	\$	46,443.00

Midtown TIF Fund

Bills		\$	<u>60,000.00</u>
	Total	\$	60,000.00

Capital Project Fund

Bills		\$	<u>605,075.67</u>
	Total	\$	605,075.67

Water Fund

Payroll		\$	57,658.03
Bills		\$	<u>284,308.33</u>
	Total	\$	341,966.36

Sewer Fund

Payroll		\$	63,319.09
Bills		\$	<u>357,034.76</u>

	Total	\$ 420,353.85
	<u>Cemetery Fund</u>	
Payroll		\$ 8,218.17
Bills		<u>\$ 681.47</u>
	Total	\$ 8,899.64
	<u>Health Insurance</u>	
Bills		<u>\$ 100,599.44</u>
	Total	\$ 100,599.44
	<u>Revolving Loan Fund</u>	
Bills		<u>\$ 90.00</u>
	Total	\$ 90.00

Mayor Cline declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline opened the floor for public presentation, petitions and communications.

Ms. Heather Warf of the First Gospel Baptist Church approached the Council with fundraising efforts for the Land of Lincoln Work Camp, where 440 youth and leaders assist needy individuals in Coles County with home repairs during the week of June 22-28, 2008.

Ms. Jean Wedel, citizen and neighbor, implored the Council to resolve issues with a dilapidated house at 612 Wabash. Council with input from Coordinator Gill and Attorney Owen discussed the situation and directed the staff to seek a court order for demolition and cite the owners for nuisance and building code violations.

Ms. Jamie Christianson appealed to the Council for consideration of a People's Rights Ordinance Committee to deal with county-wide human rights issues.

Director Wortman presented the Southside Drainage Project Conceptual Plan with providing background on the project; DNR's plan with tributaries and alternatives; revised plan of Alternative 12A for a detention pond south of Stinson and north of Old State Road, a ditch from 9th Street to the railroad's culvert, a culvert under the Tate & Lyle Railroad and raise the elevation of 14th Street near the Kickapoo Creek; Upchurch's preliminary engineering study findings; and opened the floor for questions. Council discussed terracing south of Old State Road, where the owner did not agree to terracing, and approval of the implementation of the project. Mr. Jeff Hesse, who farms the 80 acres, approved of the City's efforts and offered assistance.

Commissioner Ervin seconded by Commissioner McKenzie moved to approve Council Decision Request 2008-867, approving \$13,500 in grants by the Tourism Advisory Committee from hotel/motel tax funds to:

\$3,000 requested to the Mattoon Cobras for use in hosting the USSSA Mother's Day Softball Invitational World Series Qualifier on May 9 – 11, 2008;
 \$7,000 to the Mattoon Cobras for use in hosting World Series Qualifier on June 20-22, 2008;
 \$3,500 to Eastern Illinois University for Illinois High School Association State Badminton Championships for Girls May 9-10, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Schilling moved to approve Council Decision Request 2008-868, ratifying the Mayor's appointment of John W. Taylor to the Electrical Board for a term of four years, expiring 04/30/2012.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner McKenzie moved to adopt Resolution 2008-2742, accepting a \$210,000 Grant of HOME Single Family Housing Rehabilitation Funds and authorizing the Mayor and City Clerk to sign all documents incidental to implementation of the grant program.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2008-2742

**A RESOLUTION ACCEPTING A \$210,000 GRANT OF HOME SINGLE FAMILY HOUSING REHABILITATION FUNDS
AND AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN ALL DOCUMENTS INCIDENTAL TO
IMPLEMENTATION OF THE GRANT PROGRAM**

WHEREAS, the City of Mattoon (hereinafter “**SPONSOR**”), applied to the State of Illinois for HOME Single Family Owner Occupied Rehabilitation Program grant funds administered by the Illinois Housing Development Authority (“**IHDA**”), and

WHEREAS, the Sponsor has been awarded a grant (“**Grant**”) from the IHDA, program administrator of the HOME Investment Partnership Program (“**HOME Program**”) for the State of Illinois, in the amount of Two Hundred Ten Thousand and no/100 dollars (\$210,000) under the IHDA’s Single Family Owner Occupied Rehabilitation Program (“**SFOOR**”), and in order to receive such a Grant, the Sponsor must formally accept the terms and conditions of the Grant, including but not limited to the Grant Agreement, and authorize certain of its officials to execute the appropriate documents required in connection with the Grant, and

WHEREAS, it is necessary for the City Council to authorize the Mayor and City Clerk to sign documents as required by the Illinois Housing Development Authority in connection with said HOME funds.

NOW, THEREFORE, BE IT RESOLVED as follows:

RESOLVED that the Grant Agreement and the documents identified in the Grant Agreement, drafts of which have been presented to the City Council of the Sponsor, be, and hereby are, approved.

FURTHER RESOLVED, that the Delegation Agreement by and among the Sponsor and Coles County Regional Planning & Development Commission, and the documents identified therein, drafts of which have been presented to the City Council of the Sponsor, be, and hereby are, approved.

FURTHER RESOLVED, that either the Mayor or City Clerk is hereby authorized and empowered to execute and deliver in the name of or on behalf of the Sponsor the Grant Agreement and any and all amendments, modifications and supplements thereto, and to execute and deliver such additional documents, instruments and certificates as may be necessary or desirable for the Sponsor to perform its obligations under the Grant Agreement.

FURTHER RESOLVED that either the Mayor or City Clerk be and is hereby authorized and directed to take such additional actions, to make further determinations, to pay such costs and to execute and deliver such additional instruments (including any amendments, Grant Agreements or supplements) as he or she deems necessary or appropriate to carry into effect the foregoing resolutions.

FURTHER RESOLVED, that the acts of the Sponsor and the Mayor or City Clerk in negotiating the Grant Agreement, including those acts taken prior to the date hereof, be, and the same hereby are, in all respects, ratified, confirmed and approved.

Upon motion by Mayor Cline seconded by Commissioner McKenzie adopted this 6th day of May, 2008, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,
Commissioner McKenzie, Commissioner Schilling,
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 6th day of May, 2008.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST: _____ APPROVED AS TO FORM: _____

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on May 7th, 2008.

IN WITNESS WHEREOF, this Certificate is executed and delivered as of May 6, 2008.

/s/ Susan J. O'Brien

Printed Name: Susan J. O'Brien

The undersigned Mayor of the Sponsor certifies that the person named above is the duly appointed City Clerk of the Sponsor and that the signature set forth immediately above is her genuine signature.

IN WITNESS WHEREOF, this Certificate is executed and delivered as of May 6, 2008

/s/ David W. Cline

Printed Name: David W. Cline

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Schilling moved to approve Council Decision Request 2008-869, authorizing the purchase of upgraded SCADA software from Durkin Equipment Company in the amount of \$14,520 for the Water Treatment Plant.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner McKenzie seconded by Commissioner Ervin moved to approve Council Decision Request 2008-870, accepting the quote from Dean Drainage in the amount of \$23,506 for the installation of two 60-inch culverts under Tate & Lyle Railroad.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Ervin moved to approve Council Decision Request 2008-871, approving the purchase of a mower for the Wastewater Treatment Plant in the amount of \$12,535 from Niemeyer Repair Service.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Schilling moved to approve Council Decision Request 2008-872, approving the appointment of Glen Sloan as the Lead Plant Operator at the Wastewater Treatment Plant effective May 7, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Ervin moved to adopt Ordinance 2008-5254, amending the Mattoon Code of Ordinances to update the Traffic Code provisions.

CITY OF MATTOON, ILLINOIS

ORDINANCE NO. 2008-5254

AN ORDINANCE AMENDING THE MATTOON CODE OF ORDINANCES TO UPDATE THE TRAFFIC CODE PROVISIONS

WHEREAS, the City of Mattoon currently has an ordinance that deals with traffic control within the City; and

WHEREAS, there are portions of the traffic code ordinance which are outdated and need to be updated; and

WHEREAS, City staff has met and written updates to the traffic codes and the Public Works Advisory Board has endorsed those updates.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mattoon as follows:

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. Amendments. Chapter 70, Chapter 71, Chapter 72, and Chapter 74 of the Code of Ordinances of the City of Mattoon are hereby repealed. Chapter 70, Chapter 71, Chapter 72, and Chapter 74 are reenacted as follows:

CHAPTER 70: GENERAL PROVISIONS

70.01 Definitions

70.02 Certain provisions of state act regulating traffic adopted by reference

70.03 Soliciting contributions

Traffic Signs, Signals and Markings

70.15 Obedience to traffic-control devices

70.16 Placement of traffic-control devices

70.99 Penalty

GENERAL PROVISIONS

§ 70.01 DEFINITIONS.

Words and phrases used in this title have the meanings respectively ascribed to them in 625 ILCS 5/1-100 et seq.

§ 70.02 CERTAIN PROVISIONS OF STATE ACT REGULATING TRAFFIC ADOPTED BY REFERENCE.

The following enumerated sections of 625 ILCS 5/11-201 et seq , exclusive of any provisions thereof relating to the penalties or the punishment to be imposed for violation of sections, are adopted and by reference made a part of this code with the same force and effect as though set forth here verbatim; and the terms "this act" wherever used in any such section shall mean this title of the municipal code, whenever necessary to effectuate the meaning of the section:

11-201 Provisions refer to vehicles upon highways - exceptions

11-203 Obedience to police officers

11-204 Fleeing or attempting to elude a peace officer

11-205 Public officer and employees to obey Act - exceptions

11-206 Persons riding animals or driving animal-drawn vehicles

11-306 Traffic-control signal legend

11-307 Pedestrian-control signals

11-308 Lane-control signals

11-309 Flashing signals

11-310 Display of unauthorized signs, signals, or markings

11-311 Interference with official traffic-control devices or railroad signs or signals

11-401 Motor vehicle accidents involving death or personal injuries

11-402 Motor vehicle accident involving damage to vehicle

11-403 Duty to give information and render aid

11-404 Duty upon damaging unattended vehicle or other property

11-407 Immediate notice of accident

11-501 Driving while under the influence of alcohol, other drugs, intoxicating compounds or any combination thereof

11-503 Reckless driving; aggravated reckless driving

11-506 Street racing; aggravated street racing

11-601 General speed restrictions

11-605 Special speed limit while passing schools

- 11-606 Minimum speed regulation
- 11-701 Drive on right side of roadway - exceptions
- 11-702 Passing vehicles proceeding in opposite directions
- 11-703 Overtaking a vehicle on the left
- 11-704 When overtaking on the right is permitted
- 11-705-706 Limitations on overtaking on the left
- 11-708 One-way roadways and rotary traffic islands
- 11-709 Driving on roadways laned for traffic
- 11-710 Following too closely
- 11-803 Starting parked vehicle
- 11-804 When signal required
- 11-805 Signal by hand or arm or signal device
- 11-806 Method of giving hand and arm signals
- 11-901 Vehicles approaching or entering intersection
- 11-902 Vehicle turning left
- 11-903 Vehicle entering stop crosswalk
- 11-904 Vehicles entering stop or yield intersection
- 11-906 Vehicle entering highway from private road or driveway
- 11-907 Operation of vehicles on approach of authorized emergency vehicles
- 11-1001 Pedestrian obedience to traffic control devices and traffic regulations
- 11-1002 Pedestrians' right-of-way at crosswalks
- 11-1003 Crossing at other than crosswalks
- 11-1004 –Pedestrian with disabilities; right-of-way
- 11-1005 Pedestrians to use right half of crosswalks
- 11-1006 Pedestrians soliciting rides or business
- 11-1007 Pedestrians walking on highways
- 11-1201 Obedience to signal indicating approach of train
- 11-1202 Certain vehicles must stop at all railroad grade crossings
- 11-1203 Moving heavy equipment at railroad grade crossing
- 11-1205 Emerging from alley, building, or private road or driveway
- 11-1301 Stopping, standing or parking outside of business or residence district
- 11-1302 Officers authorized to remove vehicles
- 11-1303 Stopping, standing or parking prohibited in specified places
- 11-1304 Additional parking regulations
- 11-1401 Unattended motor vehicle
- 11-1402 Limitations on backing
- 11-1403 Riding on motorcycles
- 11-1406 Obstruction to driver's view or driving mechanism
- 11-1407 Opening and closing vehicle doors
- 11-1408 Riding in house trailers
- 11-1410 Coasting prohibited
- 11-1411 Following fire apparatus prohibited
- 11-1412 Crossing fire hose
- 11-1413 Depositing material on highway prohibited
- 11-1414 Approaching, overtaking and passing school bus
- 11-1415 School buses stopping, loading and discharging passengers on one-way roadways on highways having 4 or more lanes
 - 11-1416 Obstructing person in highways
- 11-1421 Conditions for operating ambulances and rescue vehicles
- 11-1507 Lamps and other equipment on bicycles

12-101 Scope and effect of equipment requirements
12-201 When lighted lamps are required
12-202 Clearance, identification and side marker lamps
12-204 Lamp or flag on projecting load
12-205 Lamps on other vehicles and equipment
12-207 Spot lamps and auxiliary driving lamps
12-210 Use of head lamps and auxiliary driving lamps
12-211 Number of driving lamps required or permitted
12-212 Special restrictions on lamps
12-301 Brakes
12-401 Restriction as to tire equipment
12-502 Mirrors
12-503 Windshields must be unobstructed and equipped with wipers
12-602 Mufflers, prevention of noise
15-102 Width of vehicles
15-103 Height of vehicles
15-105 Projecting loads on passenger vehicles
15-107 Length of vehicles
15-108 Planking edge of a pavement
15-109 Spilling loads on highways prohibited
15-111 Wheel and axle loads and gross weights

§ 70.03 SOLICITING CONTRIBUTIONS.

(A) No person shall stand on a state highway for the purpose of soliciting contributions from the occupant of a motor vehicle.

(B) No person shall stand upon a road of municipal jurisdiction unless the soliciting agency shall be:

(1) Registered with the Attorney General as a charitable organization as provided by "An act to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making an appropriation therefor," approved July 26, 1963, as amended; and

(2) Liable for any injuries to any person or property during the solicitation which is causally related to an act of ordinary negligence of the soliciting agent.

(C) Any person engaged in the act of solicitation shall be at least 18 years of age and shall be wearing a high visibility vest, except a person of high school age may assist with solicitation if the charitable organization provides adult supervision and evidence of written parental consent. Any person engaged in the act of solicitation must be prepared to provide any police officer with the name and contact point of his or her agency supervisor who authorized said person to solicit funds on behalf of the agency. Failure to provide satisfactory accurate information will result in the immediate shut-down of that person's solicitations.

(D) Solicitations may occur only between the hours of 7:00 a.m. and 6:00 p.m. and only two weekends per calendar year per charitable organization. A **WEEKEND** is defined as any consecutive two days within any week of the calendar year.

(E) The Chief of Police shall designate and pre- approve intersections at which solicitations may be conducted. Solicitations shall not occur at an intersection where there is a signalized traffic control device.

(F) An application to solicit contributions from a road of municipal jurisdiction shall be made to the Police Department at least two months before the solicitation is planned to occur, but no earlier than January 2 of the year in which the solicitation will occur unless such solicitation will occur on or before February 28. The application shall be accompanied by evidence that the charitable organization is registered with the Attorney General and engaged in a statewide fundraising activity. A certificate of insurance in limits not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate shall be provided with the application naming the city as an additional insured. Preference for dates of solicitations shall be given in order of submission, i.e. "first come, first served."

(G) Every person who is convicted of a violation of this section shall be guilty of a Class A misdemeanor.

TRAFFIC SIGNS, SIGNALS AND MARKINGS

§ 70.15 OBEDIENCE TO TRAFFIC-CONTROL DEVICES.

It is unlawful for the driver or operator of a vehicle or for a pedestrian to disobey any traffic-control device or sign officially erected in and upon any street or public thoroughfare within the city, and any such traffic-control device or sign shall be considered as officially erected when placed and erected upon the direction or order of the appropriate official or authority having the charge and supervision thereof.

§ 70.16 PLACEMENT OF TRAFFIC-CONTROL DEVICES.

(A) The city shall follow the standards and guidance contained in the most recent Manual for Uniform Traffic Control Devices (MUTCD) published by the U.S. Department of Transportation's Federal Highway Administration and the Illinois Supplement to the MUTCD published by the Illinois Department of Transportation. The Illinois Supplement shall supersede where there is a conflict in standards. The only exceptions to this policy are listed in division (B).

(B) The city amends and appends the guidance in Section 2B.07 of the MUTCD to the following:

Multi-way stops. Multi-way stops are warranted if one of the following conditions is met:

- 1) Volume of traffic is approximately the same in any direction.
- 2) Traffic signals are warranted per MUTCD 4C.0 1.
- 3) Crash record report indicates 5 crashes in a 12-month period.
- 4) Volume of the major street exceeds 200 vehicles per hour for any eight-hour period, and the minor street has a volume that exceeds 150 vehicles, pedestrians, and bicycles per hour for any eight-hour period.
- 5) 80% of condition #3 and Condition #4 are met.
- 6) There is a visibility problem at the intersection.
- 7) There is a left turn conflict. The minor street has a volume of left turns onto the major street that exceeds 60 vehicles per hour over any eight-hour period.
- 8) Vehicle traffic conflicts with high volume of pedestrian traffic. Special consideration will be given to areas adjacent to parks and schools.

§ 70.99 PENALTY.

Whoever violates any provisions of this traffic code for which another penalty is not already otherwise provided, shall, upon conviction, be subject to a fine of not more than \$500.

CHAPTER 71: RULES OF OPERATION

- 71.01 Speed limits
- 71.02 Limitations on u-turns
- 71.03 Driving on sidewalks
- 71.04 Hauling trash on streets; scattering materials
- 71.05 Quiet zones
- 71.06 Limited-load streets

§ 71.01 SPEED LIMITS.

(A) No person shall drive a vehicle upon the streets of the city at any time in excess of the following speed limits, which speed limits are hereby declared to be the reasonable and safe absolute maximum speed limits in the zones indicated:

(1) The business district of the city includes the following areas: Broadway Avenue from Fourteenth Street through Twenty-First Street inclusive; Western Avenue from Nineteenth Street through Twenty-Second Street inclusive; and Fourteenth, Fifteenth, Sixteenth, and Seventeenth Streets from Charleston Avenue to Richmond Avenue. Within this business district, the speed limit is 20 miles per hour;

(2) For the following areas, 35 miles per hour Broadway Avenue East east of main entrance of Cross County Mall; Dettro Drive from Remington Drive to Country Club Road; all of Dewitt Avenue; Forty-Third Street from Western Avenue to Route 121;

(3) On streets, thoroughfares and drives within parks owned and operated by the City of Mattoon, 10 miles per hour.

(B) No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law.

Penalty, see § 70.99

§ 71.02 LIMITATIONS ON U-TURNS.

It is unlawful for any person driving or operating a vehicle of any kind or character to make a complete turn or to turn around for the purpose of proceeding back in the same direction from which they came at any intersection of any street or alley within the following designated streets:

(A) Broadway Avenue from Fourteenth Street through Twenty- First Street inclusive;

(B) Western Avenue from Nineteenth Street through Twenty-Second Street inclusive;

(C) At the intersection of Fourteenth, Fifteenth, Sixteenth, and Seventeenth Streets with Charleston Avenue to Richmond Avenue.

Penalty, see § 70.99

§ 71.03 DRIVING ON SIDEWALKS.

No person shall drive any vehicle upon or along any sidewalk, except at crosswalks. No person shall park a vehicle on any sidewalk.

Penalty, see § 70.99

§ 71.04 HAULING TRASH ON STREETS; SCATTERING MATERIALS.

It shall be unlawful for any person to drive any vehicle upon the streets of this city overloaded with trash, coal, sand, gravel, cinders, or to use vehicles for the hauling of the same whose beds are in such condition as to scatter such coal, trash, sand, gravel and cinders along and upon such streets; and where necessary to prevent trash from being blown or scattered on the streets, such vehicles shall be equipped with covers.

Penalty, see § 70.99

CHAPTER 72: PARKING REGULATIONS

72.01 Manner of parking

72.02 Prohibited parking

72.03 Special no parking or loading zones

72.04 Vehicle and trailer limited parking

72.05 Prohibited vehicles

72.21 Rental space in parking lots; towing of unauthorized vehicles

72.22 Parking of trucks

72.31 Developed parking on City right-of-way

72.40 Impounding of vehicles

- 72.41 Presumption of responsibility
- 72.55 Snow emergency
- 72.56 Snow route streets
- 72.57 Impoundment of illegally parked vehicles
- 72.58 Parking in City lots
- 72.59 Signs placed in snow route area
- 72.60 Notices
- 72.99 Penalty

Appendix: Snow Route Sign

§ 72.01 MANNER OF PARKING.

Vehicles shall be parked parallel to and not more than 12 inches from the curb on all streets, except where angular parking is provided for.

Penalty, see § 70.99

§ 72.02 PROHIBITED PARKING.

(A) It is unlawful to park a vehicle in and upon any street, public thoroughfare, or other public place contrary to any posted regulations or any official marking governing such parking.

(B) No vehicle shall be parked in an alley except for the purpose of actually loading or unloading.

Penalty, see § 70.99

Cross-reference:

No parking on certain streets, see Ch. 75, Sch. I

§ 72.03 SPECIAL NO PARKING OR LOADING ZONES.

(A) No parking spaces will be permitted in front of building entrances according to the following conditions:

(1) Any owner or occupant of such building, adjacent to a street or alley desiring a certain no-parking space immediately in front of the entrance to such building, shall make application to the Council, setting forth all relevant information and stating the number of feet and the time desired for such purposes. The City Council shall have authority to grant or refuse such restrictions or limitations as they may fix.

(2) In case such application is granted, the Council shall issue to the applicant a permit setting forth the location of such no-parking space, the number of feet frontage and the time limits fixed, and such other limitations as may be pertinent. Such permit may, at any time, be withdrawn or further limited by the Council. To enforce the provisions of such permit, any holder of the same shall have the right to place no-parking signs on the sidewalk within the time fixed in such permit, marking the limits of such no-parking space. Such signs shall be of the exact size, character and description required by the Council but shall be provided at the expense of the holder of the permit and shall bear the number of the permit issued.

(B) It shall be unlawful for any person to park within such designated no parking spaces except for the purpose of loading or unloading.

Penalty, see § 70.99

§ 72.04 VEHICLE AND TRUCK LIMITED PARKING.

It shall be unlawful to park any vehicle exceeding 12,000 pounds in gross vehicle weight rating on the public right-of-way for a period in excess of 30 minutes unless the vehicle is being loaded or unloaded.

Penalty, see § 70.99

§72.05 PROHIBITED VEHICLES.

(A) The following vehicles are prohibited from being parked on any City right-of-way in excess of 30 minutes:

- Any trailer
- Motor home
- Campers
- Boat/boat trailer

Unlicensed vehicle

(B) There shall be an exception which allows for service trailers owned by contractors to park a trailer adjacent to a property where the contractor is making improvements. This exception shall only apply during the period the contractor is working on the site and can extend through evenings but in no case longer than seven days.

Penalty, see § 70.99

§ 72.21 RENTAL SPACE IN PARKING LOTS; TOWING OF UNAUTHORIZED VEHICLES.

(A) Available rental space in off-street parking lots, as determined by the authority in charge of parking, and as marked and designated therein, may be rented at the then current monthly rate per space upon terms subject to revocation by the city at any time. Application for such rental space shall be made at the office of the City Clerk, and upon payment of the rental charge in advance rental permit will be issued by the City Clerk.

(B) (1) The Police Department and all members thereof are hereby authorized to remove and tow away or have removed or towed away by commercial towing service any unauthorized car or other unauthorized vehicle parked in a space rented on a monthly basis.

(2) Such unauthorized vehicle shall only be removed and towed away upon request by the person entitled to use such rented space and only upon the signature of the person entitled to use such rented space on a complaint alleging an appropriate ordinance violation.

(3) It is hereby ordained and declared to be public nuisance for any person to park an unauthorized vehicle in any parking space rented on a monthly basis.

(4) The penalties as provided in § 70.99 shall be assessed for any violation of this divisions and the costs of towing and storage of any vehicle towed and stored pursuant to this division shall be assessed upon plea or conviction in addition to any fine or costs of prosecution.

§ 72.22 PARKING OF TRUCKS.

It shall be unlawful to park any truck, tractor trailer, or combination thereof having a weight of more than 12,000 pounds in gross vehicle weight rating in any city parking lot.

Penalty, see § 70.99

§ 72.31 DEVELOPED PARKING ON CITY RIGHT-OF-WAY.

The "right-of-way" is hereby defined as the area, reserved for public use, between privately owned parcels.

Any owner, occupier or developer of real estate located within any commercial or industrial zoned district may be allowed to use right-of-way contiguous to their property as developed parking for motor vehicles provided that:

(A) An application for developed right-of-way parking be submitted to the City Building Inspector at City Hall, 208 North 19th Street, Mattoon, Illinois.

(B) The application shall indicate the following information: name and address of the owner; name and address of the occupier; the reason that right-of-way parking is requested; whether or not the boulevard parking requested is necessary to meet the minimum regulations for off-street parking found in Section 9 of Ordinance No. 96-4835, Mattoon Zoning Ordinance; the existing use of the real estate immediately adjacent to the proposed right-of-way parking area; and, the proposed use of the adjacent real estate of right-of-way parking is permitted.

(C) A drawing showing the location of the area for which the permit is sought showing the length and width of the area to be developed as boulevard parking shall be provided with the application.

(D) Developed parking is permitted only if the following conditions are met:

- (1) No more than 60% of the City right-of-way can be used as vehicle parking.
- (2) One tree must be planted for every 50 feet of City right-of-way utilized for vehicle parking.

(E) A permit fee in the amount of \$50 shall be paid to the city before the application will be approved.

ENFORCEMENT

§ 72.40 IMPOUNDING OF VEHICLES.

If any vehicle is found parked upon any street or alley in violation of the provisions of this chapter and shall not be removed or claimed within one hour after notice to remove the same has been left within or affixed to the same by a police officer, such car shall be removed by the police and impounded until the lawful owner is found, at which time the vehicle shall be delivered to the owner upon payment of all charges incurred in removing and impounding the same and the payment of all penalties imposed by reason of the unlawful parking or other unlawful use of the vehicle.

§ 72.41 PRESUMPTION OF RESPONSIBILITY.

The fact that a motor vehicle which is illegally parked is registered in the name of a person shall be considered prima facie proof that such person was in control of the motor vehicle at the time of such parking, and is subject to the penalty provided therefor.

Penalty, see § 70.99

SNOW ROUTES

§ 72.55 SNOW EMERGENCY.

In the event that snow and/or ice accumulates within the City of Mattoon, Coles County, Illinois, at a depth of two or more inches a "snow and ice emergency" will automatically be in effect for the streets listed in § 72.56.

§ 72.56 SNOW ROUTE STREETS.

In the event of a "snow and ice emergency", it is hereby ordained that having a vehicle parked on the following streets during such snow emergency before the snow is removed is unlawful:

Broadway Avenue between Fourteenth and Twenty-First Streets;
Western Avenue from Nineteenth to Twenty-First Streets;
Fourteenth Street from Wabash to Richmond Avenues;
Fifteenth Street from Wabash to Richmond Avenues;
Sixteenth Street from Wabash to Richmond Avenues;
Seventeenth Street from Wabash to Broadway Avenues;

§ 72.57 IMPOUNDMENT OF ILLEGALLY PARKED VEHICLES.

In the event that any motor vehicle is parked on any of the streets mentioned in § 72.56 during any "snow and ice emergency", the Chief of Police, or his or her duly designated representative, or the Public Works Director, or his or her duly designated representative, may, at his or her discretion, order that the illegally parked motor vehicle be towed to a place of impoundment, with all towing and storage costs to be paid by the owner or possessor of the motor vehicle.

§ 72.58 PARKING IN CITY LOTS.

In the event that a "snow and ice emergency" occurs pursuant to this subchapter, owners or possessors of motor vehicles that would otherwise be parked in the snow route area, as set forth in § 72.56, may park their vehicle in any City of Mattoon controlled parking lot, provided that such vehicle is removed from the parking lot by 7:00 a.m.

§ 72.59 SIGNS PLACED IN SNOW ROUTE AREA.

Signs shall be placed in the snow route area, set forth in § 72.56, with language substantially similar to the language appearing in the appendix following this chapter.

§ 72.60 NOTICES.

The Chief of Police and Public Works Director, or their duly designated representatives, are hereby authorized to prepare notices regarding the establishment of snow routes, and the applicable penalties for violation of this subchapter, and are authorized to distribute such notices to residents, occupants, and owners of real properties located in or new the snow route areas designated in § 72.56.

Penalty, see § 70.99

APPENDIX: SNOW ROUTE SIGN

SNOW

ROUTE

NO PARKING

AFTER 2 INCH SNOWFALL

UNTIL SNOW IS REMOVED

VEHICLES WILL

BE TOWED AT

OWNER'S EXPENSE

CHAPTER 74: TRAFFIC SCHEDULES

- I. One-way streets
- II. Stop signs
- III. Yield signs

SCHEDULE I. ONE-WAY STREETS.

(A) (1) It shall be unlawful to operate any vehicle on any street designated as a one-way street by ordinance in any direction other than that so designated.

<i>ONE-WAY STREETS</i>				
STREET	LOCATION	DIRECTION	ORD. NO.	DATE
Champaign Avenue	From Twenty-First Street on the east to Thirty-Third Street on the west	Eastbound	—	—
Moultrie Avenue	From Twenty-First Street on the east to Thirty-Third Street on the west	Eastbound	—	—
Lafayette Avenue	From Seventeenth Street on the west to Sixth Street on the east	Eastbound	—	—
Shelby Avenue	From Twenty-First Street on the east to Thirty-Third Street on the west	Westbound	—	—
Richmond Avenue	From Twenty-First Street on the east to Thirty-Third Street on the west	Westbound	—	—
Wabash Avenue	From Seventeenth Street on the west to Sixth Street on the east	Westbound	—	—
Thoroughfare adjacent to the west side of Illinois Central Railroad right-of-way	Between Charleston Avenue and Broadway Avenue	Northbound	3698	—

(2) The Public Works Director shall cause to be placed appropriate signs as needed so as to designate said streets as one-way streets.

(3) The penalties for violation of this section shall be a fine of not less than \$10 or more than \$100.

(B) *Use of alley, one-way traffic.* It shall be unlawful to operate any vehicle on any alley designated as one-way by ordinance in any direction other than that so designated.

<i>USE OF ALLEYS, ONE-WAY TRAFFIC</i>		
DESCRIPTION	ORD. NO.	DATE
Traffic on that portion of the alley lying between Fourteenth Street and Fifteenth Street in Block 138 of the Original Town, now City of Mattoon, is permitted in one direction only, from west to east.	4247	—
The owner of Lot 10 of Block 138 aforesaid shall grant to the use of the public a strip of ground consisting of 20 feet in width along the west side of Lot 10 of said Block 138 and a tract of ground described as beginning at the Southwest corner of Lot 3 of said Block 138, thence east 20 feet, thence north ten feet, thence west 20 feet, thence south ten feet to the place of beginning, for the purpose of regulating traffic moving in said portion of alley aforesaid south and to said Charleston Avenue; however, the present owner of said Lot 20 reserves the right to construct and maintain its drive-up island, canopy and supports therefor to within ten feet of the west line of said Lot 10.	4247	—
The boulevard along the south end of Lots 10 and 11 and 12 of said Block 138 and the boulevard along the east side of Lots 1 and 12 of said Block 138, which are now planted in grass, may hereafter be paved by the owner of said lots and used as a plaza in connection with its business use of the premises, subject to all pre-existing easements.	4247	—
The owner of Lots 1, 2, 3, 10, 11 and 12 of said Block 138 shall be permitted henceforth to have three entrances or exits connecting Broadway Avenue on the north of said premises to its premises and two entrances or exits on the south of its premises from or to Charleston Avenue and their premises, provided, however, approval for the foregoing changes is acceptable to the state.	4247	—

Penalty, see § 70.99

SCHEDULE II. STOP SIGNS.

Where stop signs control the right-of-way at an intersection.

(A) The following intersection is an all-way, six-way stop intersection:

Western Avenue and Commercial Avenue and 21st Street.

(B) The following intersections are all-way, four-way stop intersections:

<i>FOUR-WAY STOP INTERSECTIONS</i>

Street	Intersects with
Dewitt Avenue	Logan Street
Dewitt Avenue	6th Street
Dewitt Avenue	12th Street
Dewitt Avenue	14th Street
Richmond Avenue	Logan Street
Richmond Avenue	6th Street
Richmond Avenue	10th Street
Richmond Avenue	12th Street
Richmond Avenue	14th Street
Richmond Avenue	15th Street
Western Avenue	32nd Street
Western Avenue	43rd Street
Broadway Avenue	Logan Street
Broadway Avenue	6th Street
Charleston Avenue	21st Street
Marshall Avenue	14th Street
Marion Avenue	25th Street
Oklahoma Avenue	6th Street
Rudy Avenue	9th Street
Rudy Avenue	14th Street

(C) The following intersections are all-way, three-way stop intersections:

<i>THREE-WAY STOP INTERSECTIONS</i>	
Street	Intersects with
Prairie Avenue	20th Street

Broadway Avenue	Swords Drive
Lafayette Avenue	Logan Street
Walnut Avenue	26th Street
Oak Avenue	30th Street
Richmond Avenue East	Holiday Road
Richmond Avenue	21st Street

(D) The following intersections are two-way stop intersections:

<i>TWO-WAY STOP INTERSECTIONS</i>	
Street	Stops Approaching
Grant Avenue	33rd Street
Washington Avenue	20th Street
Platt Avenue	33rd Street
Moultrie Avenue	6th Street
Moultrie Avenue	10th Street
Moultrie Avenue	12th Street
Moultrie Avenue	15th Street
Moultrie Avenue	19th Street
Moultrie Avenue	21st Street
Shelby Avenue	6th Street
Shelby Avenue	10th Street
Shelby Avenue	14th Street
Shelby Avenue	15th Street
Shelby Avenue	19th Street
Shelby Avenue	33rd Street
Champaign Avenue	12th Street

Champaign Avenue	14th Street
Champaign Avenue	15th Street
Champaign Avenue	19th Street
Champaign Avenue	21st Street
Richmond Avenue	33rd Street
Prairie Avenue	10th Street
Prairie Avenue	19th Street
Prairie Avenue	21st Street
Prairie Avenue	27th Street
Prairie Avenue	32nd Street
Prairie Avenue	33rd Street
Prairie Avenue	34th Street
Broadway Avenue	21st Street
Broadway Avenue	24th Street
Pine Avenue	27th Street
Commercial Avenue	27th Street
Wabash Avenue	6th Street
Wabash Avenue	16th Street
Wabash Avenue	17th Street
Lafayette Avenue	6th Street
Lafayette Avenue	Lake Land Blvd
Edgar Avenue	9th Street
Edgar Avenue	14th Street
Edgar Avenue	15th Street
Edgar Avenue	16th Street

Edgar Avenue	17th Street
Marion Avenue	6th Street
Marion Avenue	16th Street
Marion Avenue	17th Street
Marion Avenue	Lake Land Blvd
Marion Avenue	22nd Street
Marion Avenue	23rd Street
Marion Avenue	24th Street
Marion Avenue	26th Street
Marion Avenue	27th Street
Marion Avenue	28th Street
Marion Avenue	30th Street
Marion Avenue	33rd Street
Walnut Avenue	Lake Land Blvd
Walnut Avenue	27th Street
Walnut Avenue	30th Street
Oak Avenue	14th Street
Oak Avenue	Lake Land Blvd
Oak Avenue	19th Street
Maple Avenue	14th Street
Maple Avenue	Lake Land Blvd
Maple Avenue	19th Street
Dakota Avenue	Lake Land Blvd
Essex Avenue	Lake Land Blvd
Essex Avenue	27th Street

Oklahoma Avenue	9th Street
Oklahoma Avenue	Lake Land Blvd
Olive Avenue	17th Street
Olive Avenue	Lake Land Blvd
Bell Avenue	12th Street
Bell Avenue	14th Street
Annis Avenue	12th Street
Annis Avenue	14th Street
Stinson Avenue	12th Street
Stinson Avenue	14th Street
Warren Avenue	17th Street
2nd Division Street	Dewitt Avenue
Division Street	Dewitt Avenue
Division Street	Richmond Avenue
1st Street	Dewitt Avenue
1st Street	Richmond Avenue
1st Street	Broadway Avenue
1st Street	Charleston Avenue
2nd Street	Dewitt Avenue
2nd Street	Richmond Avenue
2nd Street	Broadway Avenue
3rd Street	Dewitt Avenue
4th Street	Dewitt Avenue
4th Street	Illinois Avenue
5th Street	Dewitt Avenue

5th Street	Lafayette Avenue
6th Street	Illinois Avenue
7th Street	Dewitt Avenue
7th Street	Broadway Avenue
7th Street	Charleston Avenue
7th Street	Marshall Avenue
8th Street	Dewitt Avenue
8th Street	Broadway Avenue
8th Street	Marshall Avenue
9th Street	Dewitt Avenue
9th Street	Broadway Avenue
10th Street	Dewitt Avenue
10th Street	Broadway Avenue
10th Street	Charleston Avenue
10th Street	Wabash Avenue
10th Street	Lafayette Avenue
11th Street	Dewitt Avenue
11th Street	Richmond Avenue
11th Street	Broadway Avenue
11th Street	Charleston Avenue
12th Street	Broadway Avenue
12th Street	Charleston Avenue
12th Street	Wabash Avenue
12th Street	Lafayette Avenue
12th Street	Marshall Avenue

12th Street	Rudy Avenue
13th Street	Dewitt Avenue
13th Street	Broadway Avenue
13th Street	Charleston Avenue
13th Street	Lafayette Avenue
13th Street	Marshall Avenue
15th Street	Wabash Avenue
15th Street	Lafayette Avenue
15th Street	Marshall Avenue
16th Street	Richmond Avenue
16th Street	Lafayette Avenue
16th Street	Marshall Avenue
17th Street	Dewitt Avenue
17th Street	Warren Avenue
17th Street	Marshall Avenue
18th Street	Dewitt Avenue
18th Street	Richmond Avenue
20th Street	Dewitt Avenue
20th Street	Champaign Avenue
20th Street	Richmond Avenue
21st Street	Dewitt Avenue
22nd Street	Dewitt Avenue
22nd Street	Moultrie Avenue
22nd Street	Shelby Avenue
22nd Street	Champaign Avenue

22nd Street	Richmond Avenue
22nd Street	Western Avenue
22nd Street	Prairie Avenue
23rd Street	Dewitt Avenue
23rd Street	Western Avenue
23rd Street	Marshall Avenue
24th Street	Dewitt Avenue
24th Street	Charleston Avenue
24th Street	Marshall Avenue
25th Street	Dewitt Avenue
25th Street	Western Avenue
25th Street	Marshall Avenue
26th Street	Dewitt Avenue
26th Street	Western Avenue
26th Street	Marshall Avenue
27th Street	Dewitt Avenue
27th Street	Marshall Avenue
27th Street	Western Avenue
28th Street	Dewitt Avenue
28th Street	Marshall Avenue
29th Street	Dewitt Avenue
29th Street	Western Avenue
29th Street	Marshall Avenue
30th Street	Dewitt Avenue
30th Street	Western Avenue

31st Street	Dewitt Avenue
31st Street	Western Avenue
32nd Street	Dewitt Avenue
32nd Street	Marshall Avenue
32nd Street	Marion Avenue
33rd Street	Dewitt Avenue
33rd Street	Marshall Avenue
34th Street	Western Avenue
35th Street	Marshall Avenue
43rd Street	State Route 121

(E) The following intersections are one-way stop intersections:

<i>ONE-WAY STOP INTERSECTION</i>		
Street	Stops Approaching	Direction
Evergreen Court	19th Street	from the west
Fort Worth Way	Swords Drive	from the east
Hayes Avenue	State Route 45	from the west
Hayes Avenue	33rd Street	from the east
Douglas Avenue	19th Street	from the west
Grant Avenue	State Route 45	from the west
Remington Road	Dettro Drive	from the east
Washington Avenue	State Route 45	from the west
Washington Avenue	19th Street	from the west
Washington Avenue	29th Street	from the west
Piatt Avenue	State Route 45	from the west
Moultrie Avenue	Logan Street	from the west

Moultrie Avenue	27th Street	from the west
Moultrie Avenue	33rd Street	from the west
Shelby Avenue	Logan Street	from the west
Shelby Avenue	12th Street	from the east
Shelby Avenue	13th Street	from the west
Shelby Avenue	21st Street	from the east
Shelby Avenue	27th Street	from the east
Samsa Road	Lerna Road	from the east
Swords Drive	Remington Road	from the north
Buxton Road	Lerna Road	from the east
Champaign Avenue	10th Street	from the west
Champaign Avenue	27th Street	from the west
Champaign Avenue	33rd Street	from the west
Richmond Avenue	35th Street	from the east
Western Heights	43rd Street	from the east
Prairie Avenue	Logan Street	from the west
Prairie Avenue	2nd Street	from the east
Pine Avenue	32nd Street	from the east
Cedar Avenue	32nd Street	from the east
West Park Plaza	Park Street	from the west
Chestnut Avenue	Park Street	from the east
Commercial Avenue	32nd Street	from the east
Wabash Avenue	Logan Street	from the west
Wabash Avenue	6th Street	from the east
Wabash Avenue	9th Street	from the east

Wabash Avenue	14th Street	from the east
Wabash Avenue	Lake Land Blvd	from the east
Wabash Avenue	21st Street	from the east
Hurst Drive	Miller Drive	from the west
Hurst Drive	Lerna Road	from the east
Thomason Drive	Lerna Road	from the east
Lafayette Avenue East	Odd Fellow Road	from the east
Lafayette Avenue	9th Street	from the west
Lafayette Avenue	14th Street	from the west
Lafayette Avenue	17th Street	from the west
Broadway Avenue	32nd Street	from the west
Edgar Avenue	Lake Land Blvd	from the east
Edgar Avenue	6th Street	from the west
Marshall Avenue	6th Street	from the west
Marion Avenue	9th Street	from the east
Marion Avenue	14th Street	from the west
Marion Avenue	16th Street	from the west
Marion Avenue	19th Street	from the east
Walnut Avenue	14th Street	from the west
Walnut Avenue	19th Street	from the east
Walnut Avenue	33rd Street	from the east
Lincoln Avenue	9th Street	from the east
Oak Avenue	27th Street	from the west
Williams Court	9th Street	from the east
Dakota Avenue	6th Street	from the west

Dakota Avenue	9th Street	from the east
Dakota Avenue	14th Street	from the west
Dakota Avenue	19th Street	from the east
Dakota Avenue	27th Street	from the east
Essex Avenue	6th Street	from the east
Essex Avenue	14th Street	from the west
Essex Avenue	19th Street	from the east
Oklahoma Avenue	14th Street	from the west
Oklahoma Avenue	19th Street	from the east
Olive Avenue	14th Street	from the west
Olive Avenue	19th Street	from the east
Rudy Avenue	19th Street	from the east
Bell Avenue	9th Street	from the west
Bell Avenue	17th Street	from the east
Annis Avenue	9th Street	from the west
Stinson Avenue	9th Street	from the west
Stinson Avenue	17th Street	from the east
Wright Avenue	17th Street	from the west
Wright Avenue	Lake Land Blvd	from the east
South 19th Street	State Route 45	from the west
Miller Road	State Route 16	from the south
McFall Road	Broadway Avenue East	from the north
Dettro Drive	Country Club Road	from the north
Platt Avenue	Dewitt Avenue	from the north
Odd Fellow Road	Lafayette Avenue East	from the south

Crestview Drive	Lafayette Avenue East	from the north
Crestview	Crestview Drive	from the north
Holiday Road	Broadway Avenue East	from the north
Maj. Gen Phipps Road	Richmond Avenue East	from the south
Maj. Gen Phipps Road	Broadway Avenue East	from the north
Logan Street	Platt Avenue	from the south
2nd Division Street	Platt Avenue	from the south
1st Division Street	Platt Avenue	from the south
Division Street	Broadway Avenue	from the north
1st Street	Platt Avenue	from the south
2nd Street	Platt Avenue	from the south
2nd Street	Charleston Avenue	from the north
2nd Street	Oklahoma Avenue	from the south
3rd Street	Platt Avenue	from the south
3rd Street	Richmond Avenue	from the north
3rd Street	Charleston Avenue	from the north
Elm Ridge	Lafayette Avenue	from the south
4th Street	Platt Avenue	from the south
4th Street	Broadway Avenue	from the south
4th Street	Lafayette Avenue	from the north
5th Street	Platt Avenue	from the south
5th Place	Marion Avenue	from the south
5th Street	Oklahoma Avenue	from the south
5th Street	Illinois Avenue	from the north
6th Street	County Highway 18	from the south

6th Street	Piatt Avenue	from the north
6th Street	Woodlawn Avenue	from the north
7th Street	Richmond Avenue	from the south
Illinois Avenue	Oklahoma Avenue	from the south
8th Street	Richmond Avenue	from the south
Woodlawn Avenue	Oklahoma Avenue	from the south
9th Street	Richmond Avenue	from the south
9th Street	Old State Road	from the north
10th Street	Marshall Avenue	from the north
11th Street	Marshall Avenue	from the north
14th Street	Platt Avenue	from the south
14th Street	Old State Road	from the south
15th Street	Dewitt Avenue	from the south
16th Street	Platt Avenue	from the north
17th Street	Champaign Avenue	from the north
17th Street	Rudy Avenue	from the south
19th Street	Marshall Avenue	from the south
Kinzel Road	Marshall Avenue	from the south
22nd Street	Charleston Avenue	from the south
22nd Street	Marshall Avenue	from the south
23rd Street	Charleston Avenue	from the south
30th Street	Marshall Avenue	from the south
34th Street	Marshall Avenue	from the south
36th Street	Marshall Avenue	from the south
Powell Lane	State Route 121	from the north

El Rancho Drive	Western Avenue	from the south
Noyes Court	Western Avenue	from the north
Melody Lane	Western Avenue	from the south
Arbor Lane	Briar Lane	from the east
Arbor Drive	Arbor Lane	from the north
Arbor Drive	Briar Lane	from the east
Westview Drive	Western Avenue	from the north
Briar Lane	State Route 16	from the north
Country Gardens East	Western Avenue	from the north
Country Gardens West	Western Avenue	from the north
Western Heights	Western Avenue	from the north
43rd Street	State Route 16	from the north
South 19th Street Spur Road	19th Street	from the south
17th Street	Broadway Avenue	from the south

SCHEDULE III. YIELD SIGNS.

Where yield signs control the right of way at an intersection. The following intersections are yield intersections:

<i>YIELD INTERSECTIONS</i>	
Street	Yields approaching
Hayes Avenue	11th Street
Grant Avenue	20th Street
Platt Avenue	12th Street
Platt Avenue	13th Street
Shelby Avenue	34th Street
Oak Avenue	17th Street
Maple Avenue	17th Street

Dakota Avenue	17th Street
7th Street	Platt Avenue
8th Street	Platt Avenue
34th Street	Platt Avenue
5th Street	Moultrie Avenue
4th Street	Moultrie Avenue
24th Street	Moultrie Avenue
20th Street	Shelby Avenue
24th Street	Shelby Avenue
18th Street	Champaign Avenue
24th Street	Champaign Avenue
32nd Street	Champaign Avenue
8th Street	Prairie Avenue
9th Street	Prairie Avenue
11th Street	Prairie Avenue
23rd Street	Prairie Avenue
25th Street	Prairie Avenue
26th Street	Prairie Avenue
30th Street	Prairie Avenue
31st Street	Prairie Avenue
Briar Lane	Melody Lane
Hickory lane	Melody Lane
Lafayette Avenue	Charleston Avenue
Pine Avenue	Commercial Avenue
Cedar Avenue	Commercial Avenue

SPECIAL ORDINANCE NO. 2008-1275

AN ORDINANCE APPROVING A GRANT AGREEMENT BY AND BETWEEN THE CITY OF MATTOON, ILLINOIS AND SCOTT STOLTZFUS; TRUST #44-0801-30 WITH THE MATTOON MID-TOWN REDEVELOPMENT PROJECT AREA

WHEREAS, Scott Stoltzfus; Trust #44-0801-30 (the “**Grantee**”), have submitted a proposal to the City of Mattoon, Illinois (the “**Municipality**”) for redevelopment of a part of the Municipality’s Mattoon Mid-town Redevelopment Project Area (the “**Redevelopment Project Area**”); and, thereafter, the Municipality and the Grantee have engaged in negotiations related to a Grant Agreement (including all exhibits and attachments in connection therewith, the “**Grant Agreement**”) concerning redevelopment incentives and assistance related to the preservation, development and redevelopment of a part of the Redevelopment Project Area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The Grant Agreement, in substantially the form thereof presented before the meeting of the City Council at which this ordinance is adopted, shall be and is hereby ratified, confirmed and approved, and the Mayor and City Clerk are authorized to execute and deliver the Grant Agreement for and on behalf of the Municipality; and upon the execution thereof by the Municipality and the Grantee, the appropriate officers, agents, attorneys and employees of the Municipality are authorized to take all supplemental actions, including the execution and delivery of related supplemental opinions, certificates, agreements and instruments not inconsistent with the Grant Agreement, desirable or necessary to implement and otherwise give full effect to the Grant Agreement. Upon full execution thereof, the Grant Agreement shall be attached to this ordinance as EXHIBIT “A”.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Schilling, seconded by Commissioner McKenzie, adopted this 6th day of May, 2008, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Ervin, Commissioner McKenzie,</u> <u>Commissioner Schilling, Mayor Cline</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>
ABSTAIN (Names)	<u>Commissioner Hall</u>

Approved this 6th day of May, 2008.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

<u>/s/ Susan J. O’Brien</u> Susan J. O’Brien, City Clerk	<u>/s/ J. Preston Owen</u> J. Preston Owen, City Attorney
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Recorded in the Municipality’s Records on May 7, 2008.

Attachment (1) - EXHIBIT “A”

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, Abstain Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner McKenzie moved to approve Council Decision Request 2008-873, authorizing a public hearing on a proposed land exchange between the City of Mattoon and Land Trust 092 for the YMCA expansion. The public hearing will take place at 7:00 p.m. on May 20, 2008 in the City Council Chambers, City Hall, 208 North 19th Street, Mattoon, Illinois.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall,

YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Ervin moved to approve Council Decision Request 2008-874, ratifying Paul Conlin, Dr. Donald Freesmeier, Jerry Groniger, Tim Knepple, Joyce St. Michael, Chris Rankin, Donna Ray, Paul Saegasser, Commissioner David Schilling, Dr. Robert Webb, and Ray Wines to the City of Mattoon Form of Government Steering Committee.

Mayor Cline opened the floor for questions or comments. Mayor Cline thanked everyone for their interest and announced additional participatory members from each union and one non-union member for service on the committee.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Ervin moved to recess to closed session at 8:11 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the purchase or lease of real property (5 ILCS 120(2)(c)(5)); and employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)).

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Council reconvened at 9:18 p.m. with Administrator Gilmore, Attorney & Treasurer Owen, Director Wortman, Coordinator Gill and Clerk O'Brien.

Commissioner Hall seconded by Commissioner McKenzie moved to adopt Special Ordinance 2008-1276, authorizing the purchase of approximately 86 acres in the amount of \$9,300 per acre necessary for the Southside Drainage Project from PKS Development.

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2008-1276**

**AN ORDINANCE AUTHORIZING THE PURCHASE APPROXIMATELY 86 ACRES LAND NECESSARY FOR
THE SOUTHSIDE DRAINAGE PROJECT FROM PKS DEVELOPMENT.**

WHEREAS, for the last fifty years the City of Mattoon has had issues with flooding on the southern boundary of the City; and,

WHEREAS, three years ago the City partnered with the Illinois Department of Natural Resources (IDNR) to conduct a study of the ways of reducing the flooding; and,

WHEREAS, after receiving the final IDNR study, the City has been negotiation with different land owners to determine the most cost effective methods of building the retention facilities necessary to reduce the flooding; and,

WHEREAS, the City has hired The Upchurch Group to complete a preliminary review of the 86 acres to ensure that the property is suitable for the purposes of retention of water and reduction of flooding in accordance with the IDNR study; and,

WHEREAS, The Upchurch Group has confirmed to the City that water retention efforts on the 86 acres will help in the reduction of the flooding; and,

WHEREAS, the City Attorney and Treasurer has negotiated the attached contract (attached hereto and incorporated herein as Exhibit "A") for the purchase of the 86 acres at a price of \$9,300.00 per acre; and,

WHEREAS, the City has been saving part of the money from the Non-Home Rule Sales Tax in order to pay for the flood reduction project; and,

WHEREAS, the City Council has long believed that this project is of the utmost importance to the citizens of Mattoon and it is necessary to preserve home current homes and business located on the south side of Mattoon and allow for future growth on the south side of the City.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, A MUNICIPAL CORPORATION, as follows:

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance

Section 2. The Mayor and City Clerk are authorized and directed to execute any and all documents necessary to affect the purchase of the 86 acres from PKS Development in accordance with Exhibit “A.”

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Upon motion by Commissioner Hall, seconded by Commissioner McKenzie, adopted this 6th day of May, 2008, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall
Commissioner McKenzie, Commissioner Schilling,
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 6th day of May, 2008.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:
/s/ Susan J. O’Brien /s/ J. Preston Owen
Susan J. O’Brien J. Preston Owen
City Clerk City Attorney & Treasurer

Recorded in the Municipality’s Records on May 7, 2008.

Mayor Cline opened the floor for questions or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Ervin moved to adopt Special Ordinance 2008-1277, authorizing the purchase of approximately 30 acres in the amount of \$8,000 per acre necessary for the Southside Drainage Project from Kenneth A. Matheny and Christian B. Brooks.

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2008-1277

**AN ORDINANCE AUTHORIZING THE PURCHASE APPROXIMATELY 30 ACRES LAND NECESSARY FOR THE
SOUTHSIDE DRAINAGE PROJECT FROM KENNETH A. MATHENY AND CHRISTIAN B. BROOKS**

WHEREAS, for the last fifty years the City of Mattoon has had issues with flooding on the southern boundary of the City; and,

WHEREAS, three years ago the City partnered with the Illinois Department of Natural Resources (IDNR) to conduct a study of the ways of reducing the flooding; and,

WHEREAS, after receiving the final IDNR study, the City has been negotiation with different land owners to determine the most cost effective methods of building the retention facilities necessary to reduce the flooding; and,

WHEREAS, the City’s Engineering Department has completed a preliminary review of the 30 acres to ensure that the property is suitable for the purposes of construction of a drainage channel and possible retention of water and reduction of flooding in accordance with the IDNR study; and,

WHEREAS, City’s Engineering Department has confirmed that construction of a drainage channel and possible retention of water efforts on the 30 acres will help in the reduction of the flooding; and,

WHEREAS, the City Attorney and Treasurer has negotiated the attached contract (attached hereto and incorporated herein as Exhibit “A”) for the purchase of the 30 acres at a price of \$8,000.00 per acre; and,

WHEREAS, the City has been saving part of the money from the Non-Home Rule Sales Tax in order to pay for the flood reduction project; and,

WHEREAS, the City Council has long believed that this project is of the utmost importance to the citizens of Mattoon and it is necessary to preserve home current homes and business located on the south side of Mattoon and allow for future growth on the south side of the City.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, A MUNICIPAL CORPORATION, as follows:

Section 1. Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. The Mayor and City Clerk are authorized and directed to execute any and all documents necessary to affect the purchase of the 30 acres from Kenneth A. Matheny and Christian B. Brooks in accordance with Exhibit "A."

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Upon motion by Commissioner Hall, seconded by Commissioner Ervin, adopted this 6th day of May, 2008, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Ervin, Commissioner Hall,</u> <u>Commissioner McKenzie, Commissioner Schilling,</u> <u>Mayor Cline.</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 6th day of May, 2008.

/s/ David W. Cline
David W. Cline, Mayor
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

<u>/s/ Susan J. O'Brien</u> Susan J. O'Brien City Clerk	<u>/s/ J. Preston Owen</u> J. Preston Owen City Attorney & Treasurer
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Recorded in the Municipality's Records on May 7, 2008.

Mayor Cline opened the floor for questions, or comments. No questions or comments.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

Council thanked Attorney & Treasurer Owen for his work on the project.

Council discussed with attendees the Southside Drainage Project and previous studies; a proposed project within the I-57 East TIF counteroffer; and Sontejroh Corp (Sheraton Inn) update.

Commissioner Hall seconded by Commissioner Schilling moved to adjourn at 9:37 p.m.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor Cline.

/s/ Susan J. O'Brien
City Clerk